

*Confusion & Beauty is all they can pretend to, while they live. For the greatly selfish
of strangers in the duration of the Charms, maintains the same beautiful appearance
thru' all the vicissitudes of seasons. & conscious of the
of the Boston's Stability - feels no other Concern amidst the
general Destruction than arises from a general's sympathy
for his once gay but now withered companions.*

Anno Regni Regis GEORGII Tertii Duodecimo.

1772

Supply of the Treasury.

461



Acts and Laws,

Passed by the Great and General Court or Assembly
of His Majesty's Province of the *Massachusetts-Bay*
in *New-England*: Begun and held at *Cambridge*, in
the County of *Middlesex*, upon Wednesday the
twenty-ninth Day of *May*, 1771; and then conti-
nued by several Prorogations unto Wednesday the
eighth Day of *April* following, and then met.

CHAP. I.

An Act to Supply the Treasury with the Sum of
eight Thousand five Hundred Pounds.

WHEREAS there was no Provision made by this Court at their
last Session for Support of Government for the then ensuing Year;
and whereas the Treasurer has represented to this Court that he
has a sufficiency in the Treasury for that purpose which is not appro-
priated. Preamble.

Be it therefore enacted by the Governor, Council and House of Re-
presentatives, That the Treasurer be and he hereby is directed and im-
powered to apply the aforesaid Sum of *eight Thousand five Hundred*
Pounds, to discharge such Warrants as shall be drawn on him by the Go-
vernor, with Advice of Council, to be paid out of the following Appro-
priations, viz. the Sum of *three Thousand Pounds*, part of the aforesaid
Sum of *eight Thousand five Hundred Pounds*, shall be applied for the
payment of the Grants made or to be made by this Court, and the fur-
ther Sum of *three Thousand eight Hundred Pounds*, part of the afore-
said Sum of *eight Thousand five Hundred Pounds*, shall be applied for
discharge of Debts owing from this Province to Persons that have served

6 C

Appropriations of 8500

Beauty & Love
Supp

and shall serve them by Order of this Court in such Matters and Things where there is no Establishment, nor any certain Sum assigned for that purpose, and for Writing, Printing and Paper for this Court, and such Repairs of the Province House, Court House, and Light Houses, as shall be made by Order of the General Assembly and for the Light Houses, built on Thacher's Island; and the further Sum of *one Hundred Pounds*, part of the aforesaid Sum of *eight Thousand five Hundred Pounds* shall be applied for Commissaries disbursements; and the further Sum of *six Hundred Pounds*, part of the aforesaid Sum of *eight Thousand five Hundred Pounds* shall be applied for the payment of the expences of Fort Pownall; and the further Sum of *one Thousand Pounds* part of the aforesaid Sum of *eight Thousand five Hundred Pounds* shall be applied for the payment of His Majesty's Council and the Members of the House of Representatives serving in the Great and General Court in the present Year.

C H A P. II.



An Act for continuing an Act intituled, An Act for establishing and regulating the Fees of the several Officers within this Province hereafter mentioned.

Preamble.

WHEREAS the Act intituled, *An Act for establishing and regulating the Fees of the several Officers within this Province hereafter mentioned, made in the fifth Year of His present Majesty's Reign is near expiring, and having been found useful and beneficial.*

Continuation.

Be it therefore enacted by the Governor, Council and House of Representatives, That the Act aforesaid be continued, with all and every Article, Clause, Matter and Thing therein contain'd, and shall be in Force from the End of the present Session of the General Assembly, to the End of the next Session of the General Assembly, and no longer.

C H A P. III.

An Act for continuing an Act intituled, An Act for granting unto His Majesty several Rates and Duties of Impost and Tonnage of Shipping.

Preamble.

WHEREAS the Act intituled, *An Act for granting unto His Majesty several Rates and Duties of Impost and Tonnage of Shipping, made in the Eleventh Year of His present Majesty's Reign, will expire at the End of the present Session of the General Court.*

Continuation.

Be it therefore enacted by the Governor, Council and House of Representatives, That the Act aforesaid be continued, with all and every Article, Clause, Matter and Thing therein contained, and shall be in Force for the Term of one Year from the twenty seventh Day of April 1772, and no longer.

C H A P IV.

An Act in Addition to an Act made in the Fifth Year of the Reign of His present Majesty, intituled, An Act to prevent the destruction of Oysters in the several Bays and Rivers hereafter mentioned within this Province.

WHEREAS it has been the practice for some years past, for Persons to come with their Vessels and Boats into the Rivers and Bays, lying either in the Towns of Wellfleet, Freetown, Swanzy, Dartmouth, Barnstable, Yarmouth, and in other of the Bays, Ports and Rivers within this Province, then and thereto rake the Oyster Beds, carry away from thence large Quantities of Oysters; by means whereof said Beds are almost destroyed, to the great Prejudice both of the English and Indian Inhabitants living in or near the Towns aforesaid; which recited Act is found insufficient to prevent the Destruction of Oysters in the District of Wellfleet, in the County of Barnstable, (within the Bay commonly called Billingsgate Bay) by reason that many Persons in the District of Wellfleet, and in the Towns adjacent to Billingsgate Bay, make it a constant Practice to take, Rake and Sweep the Oyster Beds lying within said Billingsgate Bay, principally in said District of Wellfleet, but partly in the Township of Eastham at unreasonable Times for the sake of Gain, by carrying Oysters to Boston and other Ports in hot Weather, in which Season the Oysters so taken are not so wholesome, but it more especially prevents their Growth by taking them in the time of their Spawning, so that the valuable Branch of Business of taking Oysters in the Bay aforementioned is in great Danger of being spoiled, and the Oyster Beds totally ruined to the great Detriment of the District of Wellfleet and Town of Eastham, to the prejudice of the Public in general: For Prevention whereof for the future:

Recital.

Preamble.

Be it enacted by the Governor, Council, and House of Representatives, That if any Person or Persons shall after the first Day of May, and before the twentieth Day of September, Annually during the continuance of this Act presume to take any Oysters in Billingsgate Bay before mentioned, in any Part thereof, or to take or Sweep said Oyster Beds within the Times herein prohibited, he or they shall forfeit for every Offence the Sum of ten Pounds, to be recovered by Action of Debt or Presentment of a Grand Jury in the County of Barnstable, one half thereof to him or them that shall Sue for the same or inform the Grand Jury, and the other half to his Majesty for the use of this Government.

Forfeiture in taking Oysters within the Time limited.

How to be Recovered, and Applied.

Be it further enacted, That if any Person or Persons shall sell or dispose of any Oysters taken contrary to this Act, shall for every Offence forfeit forty Shillings, to be recovered by Action of Debt or Presentment of a Grand Jury in any Court of this Province where the Offence is committed; the last mentioned Forfeiture to be disposed of in Manner as aforementioned.

Forfeiture for Selling Oysters so taken.

Provided always, That nothing in this Act shall be construed to hinder and obstruct any of the Inhabitants of the Town of Eastham, or District of Wellfleet, in taking Oysters in said Bay to eat Fresh in their own Families within the Times mentioned in this Act.

Proviso.

This Act to continue and be in Force from the first Day of May 1772, to the first of November 1775.

Continuation.

C H A P.

C H A P. V.

An Act to determine the Share which the Polls in the District of *Greenfield* shall pay, of the Sums to be Assessed in the said District for the Time therein limited.

Preamble.

WHEREAS the Inhabitants of the District of *Greenfield*, are apprehensive that an Assessment upon the Inhabitants of the said District agreeable to the general Law of this Province respecting the Proportion of Taxes on Polls and Estates, (for want of a true and just Valuation) will be very unequal and oppressive, and has for Years past been found productive of many Evils to said District. For remedy whereof:

Specially im-
powered to
Tax until a
new Valuation.

Be it enacted by the Governor, Council, and House of Representatives, That the Assessors of the District of *Greenfield*, for the Time being, be and hereby are authorized and directed from Time to Time, to Assess on the Inhabitants of said District, liable by Law to be Taxed, in the following Manner, (until a new Valuation of the Estates in this Province shall be compleated, and a Tax shall issue thereon,) viz. That one Moiety of all the Taxes that shall hereafter be laid on said District shall be assessed on the Polls; the other on the Estates Real and Personal of the Inhabitants of said *Greenfield*; the Assessors observing the same Rules and Directions in all other Respects as by Law is already provided: And that every Thing the said Assessors shall do agreeable to this Act, shall be deemed good and valid, to all Intents and Purposes, with the Restrictions above specified, any Law or Usage to the Contrary notwithstanding.

C H A P. VI.

An Act to prevent any Persons obstructing the Fish in their passing up Spruce Creek, so called, in a branch of *Piscataqua* River that flows into the Town of *Kittery*, and taking and catching them therein with Seines.

Preamble.

WHEREAS the Method for taking and catching Fish in a certain branch of *Piscataqua* River flowing into said *Kittery*, called *Spruce Creek*, with Seines, hath by experience been found greatly tending to obstruct the Fish in their passing up into said Creek, and thereby depriving the Poorer sort of People of the necessaries of Life: For remedy whereof,

Forfeiture for
takeing Fish
contrary to
this Act.

Be it enacted by the Governor, Council and House of Representatives, That no Person or Persons whatsoever, from the first Day of *May* next, during the continuance of this Act shall presume to take, kill or hale ashore any Fish with Seines in the said Creek or any part thereof, upon pain of Forfeiting upon each and every Offence on due Conviction thereof, the Sum of *thirty Shillings*; to be recovered by Action, Bill or Plaint before any of His Majesty's Justices of the Peace for the County of *York*, the one half of the said Forfeitures to be to and for the use of the said Town of *Kittery*, the other half to him or them who shall sue for the same.

Continuation.

This Act to continue and be in Force for the space of three Years from the first Day of *May* next and no longer.

CHAP.

C H A P. VII.

An Act for continuing an Act intitled, "An Act for allowing necessary supplies to the Eastern Indians, and for regulating Trade with them, and for preventing Abuses therein."

WHEREAS the Act intitled, "An Act for allowing necessary supplies to the Eastern Indians, and for regulating Trade with them and for preventing Abuses therein," made in the fifth year of his present Majesty's Reign, is near expiring, and the same having been found beneficial for regulating the Trade with the same Indians.

Preamble.

Be it therefore enacted by the Governor, Council, and House of Representatives, That the Act aforesaid be continued with all and every article, clause, matter and thing therein contained, and shall be in force for the term of one Year from the twenty-eighth of April One thousand seven hundred and seventy-two, and from thence to the end of the then next Session of the General Court and no longer.

Continuation.

C H A P. VIII.

An Act for reviving and continuing sundry Laws that are expired or near expiring.

WHEREAS the several Acts herein after mentioned, which are now expired or near expiring have been found useful and beneficial, Viz. One Act made in the thirteenth Year of the Reign of his late Majesty King George the Second, intitled an Act for the effectual preventing of Horses, neat Cattle, Sheep and Swine, from running at large, or feeding upon a certain Island called Plumb-Island, lying in Ipswich Bay in the County of Essex: One Act made in the fourteenth Year of the same Reign, intitled, an Act to prevent Damage being done to the Harbour of Cape Cod, by Cattle and Horse-kind feeding on Province Town Land: Three Acts made in the sixteenth Year of the same Reign; one intitled, an Act in addition to an Act for rendering more effectual, an Act for regulating the Assize of Cask, and preventing Deceit in packing of Fish, Beef and Pork for Sale, made in the fourth Year of the Reign of King William and Queen Mary; and also for preventing Fraud and Injustice in the measuring of Grain; another Act intitled, an Act to prevent Damage being done unto Billingsgate Bay in the Town of Eastham, by Cattle and Horse-kind and Sheep, feeding on the Beach and Islands adjoining thereto; the other Act intitled, an Act to prevent the multiplicity of Law Suits: Two Acts made in the seventeenth Year of the same Reign; one intitled, an Act for preventing Mischief by unruly Dogs on the Island of Nantucket; the other Act intituled, an Act for preventing the Destruction of White Pine Trees within this Province, and for encouraging the Preservation of them for the Use of the Royal Navy: One Act made in the eighteenth Year of the same Reign, intitled, an Act in addition to an Act for preventing Damage to the Harbour of Cape-Cod, by Cattle and Horse-kind feeding on Province Town Lands: One Act made in the twentieth Year of the same Reign, intitled, an Act to prevent Damage being done unto Nasset Meadow by Cattle and Horse kind feeding on the Beach adjoining thereto: Two Acts made in the twenty-fourth Year of the same Reign; one intitled, an Act providing for the support of Ministers in New Plantations;

Laws revived and continu'd
To prevent Horses, &c. on Plumb Island, in Ipswich Bay.
To prevent Damage to Province Town Lands.
Regulating Assize of Cask, & preventing deceit in packing Fish and measuring Grain.
To prevent damage on Eastham Beach
To prevent Law Suits.
To prevent mischief by Dogs on Island of Nantucket.
White Pine Trees.
To prevent damage to harbour Cape Cod.
To prevent damage to Nasset Meadow.
Support of Ministers.

Act for Regulating Fences and Cattle.

Act to empower the proprietors of the first parish in Salem.

Act for securing the growth of wood & timber in Ipswich and Wenham.

Act appointing assayers of Pot & Pearl Ash.

Act to prevent damage to the Beach at Scituate.

Act to regulate the course of Judicial Proceedings.

Act to prevent damage to Billingsgate Bay in Town of Eastham.

Act for regulating Indians.

Act for regulating of Fences, Cattle &c.

Act to prevent damage at Monument Ponds.

Act to prevent stealing Sheep at Martha's Vineyard.

Act establishing Watch in the Town of Boston.

Act empowering Proprietors of the Meeting in Newbury-Port.

Act to prevent the destruction of Alewives in Middleborough.

Act empowering the East Precinct in Salem.

Continued to 1st Nov. 1775.

the other Act intitled, an Act in addition to an Act for regulating Fences, Cattle, &c. One Act made in the twenty-seventh Year of the same Reign, intitled, an Act to empower the Proprietors of the Meeting-House in the first Parish in Salem, where the Reverend Mr. Dudley Leavitt now officiates, to raise Money to defray Ministerial and other necessary Charges: Three Acts made in the twenty-eighth Year of the same Reign, one intitled, an Act for the securing the Growth and Increase of a certain Parcel of Wood and Timber in the Township of Ipswich and Wenham, in the County of Essex; another Act intitled, an Act for appointing Assayers of Pot Ash and Pearl Ash; the other Act intitled, an Act to prevent Damage being done on the Beach, Hamocks and Meadows belonging to the Town of Scituate, lying between the Southerly End of the third Cliff so called, and the mouth of the North River: Two Acts made in the thirtieth Year of the same Reign, one intitled, an Act for further regulating the Course of Judicial Proceedings; the other Act intitled, an Act to prevent Damage being done unto Billingsgate Bay in the Town of Eastham, by Cattle and Horse-kind and Sheep feeding on the Beach and Islands adjoining thereto: One Act made in the thirty-first Year of the same Reign intitled, an Act in addition to the several Acts for the better regulating the Indians: One Act made in the thirty-second Year of the same Reign intitled, an Act in addition to an Act intitled, an Act for the regulating of Fences, Cattle &c. One Act made in the thirty-third Year of the same Reign intitled, an Act to prevent Damage being done on a Beach at Monument Ponds, in the Township of Plymouth, lying between the Lands so the late Thomas Clark and Joseph Bartlet Deceased, and on a certain Tract of marshy Ground lying under Water there: Two Acts made in the first Year of his present Majesty's Reign, one intitled, an Act for preventing the Stealing and Clandestinely conveying Sheep away from the Island of Martha's Vineyard, in Dukes County; the other Act intitled, an Act establishing a Watch for the Safety and better securing the Good Order of the Town of Boston: Two Acts made in the fourth Year of the said Reign; one intitled, an Act to empower the Proprietors of the Meeting-House in the Town of Newbury-Port, where the Reverend Mr. Jonathan Parsons officiates, to raise Money to defray Ministerial and other necessary Charges; the other Act intitled, an Act in addition to the Act intitled, an Act to prevent the unnecessary Destruction of Alewives in the Town of Middleborough: One Act made in the ninth Year of the said Reign intitled, an Act to empower the East Precinct in Salem, where the Reverend Mr. James Diman now officiates, to raise Money for defraying Ministerial and other necessary Charges of said Precinct.

Be it therefore enacted by the Governor, Council and House of Representatives, That such of the before mentioned Acts as are now expired be revived; and such of the said Acts as are not yet expired be continued, with all and every Clause, Matter and Thing therein respectively contained, and shall be in Force until the first Day of November, One thousand seven hundred and seventy five, and from thence to the end of the then next Session of the General Court, and no longer.

21 JY 60

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Continued to 1st Nov. 1775.

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